

**Introduced by Senator Denham**

February 10, 2010

---

An act to amend Section 78531 of the Water Code, relating to water resources.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1013, as introduced, Denham. Safe, Clean, Reliable Water Supply Act: Central Valley Project Improvement Program.

The Safe, Clean, Reliable Water Supply Act, a bond act approved by the voters as Proposition 204 at the November 5, 1996, statewide general election, authorizes the issuance and sale of a total of \$995,000,000 in general obligation bonds. The act continuously appropriates \$93,000,000 of the proceeds from the sale of those bonds to the Controller for allocation to the Department of Fish and Game or the Department of Water Resources to pay the state's share of the costs for fish and wildlife restoration measures required pursuant to the federal Central Valley Project Improvement Act and specified administrative costs of the Department of Fish and Game and the Department of Water Resources.

This bill would make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 78531 of the Water Code is amended to
- 2 read:
- 3 78531. (a) Notwithstanding Section 13340 of the Government
- 4 Code, the money in the subaccount is hereby continuously

1 appropriated, without regard to fiscal years, to the Controller, to  
2 be allocated to pay the state's share of the costs for fish and wildlife  
3 restoration measures required by Section 3406 of the *federal*  
4 Central Valley Project Improvement Act (~~P.L. (Title XXXIV of~~  
5 *Public Law 102-575*), in accordance with subdivisions (b) and (c).

6 (b) Funds appropriated pursuant to subdivision (a) shall be  
7 allocated to the Department of Fish and Game or the department  
8 for expenditure pursuant to the terms of the cost-sharing agreement  
9 between the United States and the State of California as required  
10 by subsection (h) of Section 3406 of the *federal* Central Valley  
11 Project Improvement Act, or any agreements supplemental ~~thereto~~  
12 *to that agreement*, for the payment of costs allocated to the state  
13 for the protection and restoration of fish and wildlife resources  
14 and habitat pursuant to Section 3406 of that federal act.

15 (c) The money in the subaccount may be used for both of the  
16 following purposes:

17 (1) To pay for the state's cost-sharing allocations or for actions  
18 directly undertaken by the department or the Department of Fish  
19 and Game relating to fish and wildlife restoration actions required  
20 by Section 3406 of the *federal* Central Valley Project Improvement  
21 Act (~~P.L. (Title XXXIV of Public Law 102-575)~~). For purposes of  
22 this paragraph, and consistent with Attachment C of the "Principles  
23 for Agreement on Bay-Delta standards between the State of  
24 California and the Federal Government," dated December 15,  
25 1994, preference for the screening of diversions shall be given to  
26 projects, and projects within programs, identified in the *federal*  
27 Central Valley Project Improvement Act (~~P.L. (Title XXXIV of~~  
28 *Public Law 102-575*) for which deadlines have been established  
29 by state or federal agencies, or by a state or federal court. Any  
30 preference established under this paragraph shall be revised if the  
31 deadlines are extended or eliminated.

32 (2) To pay for administrative costs incurred in connection with  
33 the implementation of this section by the department and the  
34 Department of Fish and Game related to fish and wildlife  
35 restoration measures undertaken pursuant to Section 3406 of the  
36 *federal* Central Valley Project Improvement Act (~~P.L. (Title XXXIV~~  
37 *of Public Law 102-575)*, as follows:

38 (A) Not more than 3 percent of the total amount deposited in  
39 the subaccount for the use of the department may be used to pay

1 the costs incurred in connection with the administration of this  
2 article by the department.  
3 (B) Not more than 3 percent of the total amount deposited in  
4 the subaccount for the use of the Department of Fish and Game  
5 may be used to pay the costs incurred in connection with the  
6 administration of this article by the Department of Fish and Game.

O